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Pro Se Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Frank Liu Plaintiff, vs. The Nielsen Company (US) LLC and TNC US HOLDINGS, Defendants.	Case #1:22-cv-09084-JHR-OTW Motion for Clarification Regarding ECF 106
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Motion for Clarification Regarding ECF 106

From Plaintiff's interpretation, it appears Court Order ECF 106 denies as moot Plaintiff's Motion to Strike Defendants' Motion to Dismiss based on the fact Judge Wang issued her Report and Recommendation back on August 13, 2024. Below is an excerpt from ECF 106:

ONA T. WANG, United States Magistrate Judge:

On August 13, 2024, I issued a Report & Recommendation regarding Defendants'

motion to dismiss. (ECF 105). It is hereby **ORDERED** that:

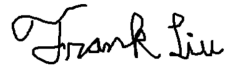
- Plaintiff's motion to strike Defendants' motion to dismiss (ECF 66) is **DENIED AS MOOT.**

1) Although Judge Wang's Report and Recommendation came out more than 145 days ago, it has not yet been accepted or denied by the District Court Judge. Plaintiff requests clarification regarding ECF 106 which denies Plaintiff's Motion to Strike as Moot because Plaintiff is unsure if a Report and Recommendation procedurally moots a Motion to Strike **when** the Report and Recommendation has not been accepted by the District Court Judge.

2. Neither party has filed any objection to Judge Wang's Report and Recommendation. Based on the fact no objection to the R&R has been filed by Plaintiff or by Nielsen Defendants, and the deadline for parties to object has long elapsed, Plaintiff believes the District Court Judge should accept the R&R. However, in the event Judge Wang's R&R ends up being rejected by the District Court Judge, Plaintiff respectfully requests clarification regarding if ECF 106 still moots Plaintiff's Motion to Strike should Judge Wang's Report and Recommendation not be accepted by the District Court Judge.

3. ECF 106 states that "The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal." This motion for clarification **should not** be considered as an objection to ECF 106. Plaintiff is just respectfully seeking clarification from the Court regarding ECF 106.

Respectfully submitted,

A handwritten signature in black ink that reads "Frank Liu". The signature is written in a cursive, flowing style.

Dated 1/10/2025

Frank Liu

Pro Se Plaintiff